UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,151	11/21/2001	Toshiki Kindo	P21724	9437

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EXAMINER
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ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/989,151	KINDO ET AL.
	Examiner	Art Unit
	Hanh B Thai	2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 November 2001_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-19_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _21 November 2001_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _3 and 4_.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

This is in response to application filed November 21, 2001 in which claims 1-19 are

presented for examination.

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because

reference character "105" has been used to designate both "electronic cleaning unit" and

"electronic clearing unit" as defined in specification page 6. A proposed drawing correction or

corrected drawings are required in reply to the Office action to avoid abandonment of the

application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.   Claims 1-4, 6-9, 11-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein

et al. (US Patent no. 5,872,850) applicant provided.

Regarding claims 1 and 11, Klein discloses an information distribution system (see col. 2,

lines 41-48, Klein) comprising:

-        a storage section that stores a personal profile with which various keywords

         contained in distribution information pieces provided from a distribution

         information provider and evaluation values corresponding to the keywords are

         registered, the evaluation values learned in advance based on a preference of a

specific client (see col. 1, lines 47-51 and col.3, line 43 to col. 4, line 6, Klein); and

- an information filtering unit that rates the distribution information pieces from the distribution information provider based on the personal profile to distribute to the client, wherein said information filtering unit rates distribution information pieces from a different distribution information provider based on the personal profile to distribute to the client (see col.1, lines 47-63 and col.4, lines 7-60, Klein).

Regarding claim 6, Klein discloses an information distribution system comprising:

- a distribution information provider that provides distribution information to be distributed to a client (see col. 2, lines 41-48, Klein). Please not that the distributed system must include the distribution information provider that transmit data to a node which corresponds to the client;

- a storage section that stores a personal profile with which various keywords contained in distribution information pieces provided from the distribution information provider and evaluation values corresponding to the keywords are registered, the evaluation values learned in advance based on a preference of the client (see col. 1, lines 47-51 and col.3, line 43 to col. 4, line 6, Klein); and

- an information filtering unit that rates the distribution information pieces from the distribution information provider based on the personal profile to distribute to the client, wherein said information filtering unit rates distribution

information pieces from a different distribution information provider based on the personal profile to distribute to the client (see col.1, lines 47-63 and col.4, lines 7-60, Klein).

Regarding claims 2, 7 and 12, Klein further discloses a first information filtering section that rates the distribution information pieces from the distribution information provider based on the personal profile to distribute to the client, and a second information filtering section that rates the distribution information pieces from the different distribution information provider based on the personal profile to distribute to the client (see col.1, lines 47-63 and co.3, lines 51-54, Klein). Please note that Klein does not disclose the first and second information filtering section that rate the distribution information pieces from the many different information provider. But, Klein discloses the filtering mechanism to filter the user content-based items from a domain or many domains (see col.1, lines 47-63 and co.3, lines 51-54, Klein). Therefore, Klein teaches the claimed feature of the distribution information pieces from one or many different information providers.

Regarding claims 3, 8 and 13, Klein further discloses the information filter the representation of the proclivities of a user in a given set of circumstances based on the user profile representing the user's preferences that reads on the first information filtering section performs learning processing on the personal profile based on the distribution information pieces from the distribution information provider (see col. 3, lines 54-63, Klein), while said second

information filtering section does not perform the learning processing on the personal profile

based on the distribution information pieces from the different distribution information provider.

Regarding claims 4 and 9, Klein further discloses the utilization of the personal profile

for the distribution information pieces from the different distribution information provider,

wherein when said managing section permits the utilization of the personal profile, the

distribution information pieces from the different distribution information provider are input to

said information filtering unit (see col. 23, lines 20-28, Klein).

Regarding claims 14 and 16, an information distribution system comprising:

-           a storage section that stores personal profiles for each of a plurality of

distribution information providers, each personal profile having registered

therewith various keywords contained in distribution information pieces

provided from one of said distribution information providers and evaluation

values corresponding to the keywords, the evaluation values learned in advance

based on a preference of a specific client (see col. 1, lines 47-51 and col.3, line

43 to col. 4, line 6, Klein). Please note that Klein does not a plurality of

information provider. But, Klein discloses the filtering mechanism to filter the

user content-based items from a domain or many domains which corresponds to

the plurality of information providers (see col.1, lines 47-63 and co.3, lines 51-

54, Klein); and

- an information filtering unit that rates the distribution information pieces from either one of the distribution information providers based on the personal profile corresponding to the distribution information provider to distribute to the client, wherein said information filtering unit rates distribution information pieces from a distribution information provider other than the plurality of the distribution information providers based on either one of the personal profiles stored in said storage section to distribute to the client (see col.1, lines 47-63 and col.4, lines 7-60, Klein).

Regarding claim 15, Klein further discloses that the information filtering unit selects the personal profiles stored in said storage section, in response to a request from the distribution information provider other than the plurality of the distribution information providers (see col. 1, lines 47-51 and col.4, lines 31-60, Klein).

Regarding claim 17, Klein further discloses that the information filtering unit selects the either one of the personal profiles stored in said storage section, in response to a request from the client (see col. 1, lines 47-51and col. 5, lines 2-12, Klein).

Regarding claim 18, Klein discloses an information distribution apparatus comprising:

- a storage section that stores a personal profile with which various keywords contained in distribution information pieces provided from a distribution information provider and evaluation values corresponding to the keywords are

registered, the evaluation values learned in advance based on a preference of a

client (see col. 1, lines 47-51 and col.3, line 43 to col. 4, line 6, Klein);

-       a first information filtering section that learns the personal profile based on the

distribution information pieces from the distribution information provider, while

rating the distribution information pieces from the distribution information

provider based on the personal profile to distribute to the client (see col.1, lines

47-63 and co.3, lines 51-54, Klein); and

-       a second information filtering section that rates distribution information pieces

from another distribution information provider different from the distribution

information provider based on the personal profile to distribute to the client (see

col.1, lines 47-63 and co.3, lines 51-54, Klein). Please note that Klein does not

disclose the first and second information filtering section that rate the

distribution information pieces from the many different information provider.

But, Klein discloses the filtering mechanism to filter the user content-based

items from a domain or many domains (see col.1, lines 47-63 and co.3, lines 51-

54, Klein). Therefore, Klein teaches the claimed feature of the distribution

information pieces from one or many different information providers.

Regarding claim 19, an information distribution method comprising the steps of:

-       generating a personal profile having registered therewith various keywords

contained in distribution information pieces provided from a distribution

information provider and evaluation values corresponding to the keywords, the

evaluation values learned in advance based on a preference of a client (see col.2, lines 41-48 and col.3, line 43 to col. 4 line 5, Klein); and

- rating the distribution information pieces from the distribution information provider based on the personal profile to distribute to the client, wherein distribution information pieces from another distribution information provider different from the distribution information provider are rated based on the personal profile to distribute to the client (see col. 4, lines 6-60, Klein). Please note that Klein discloses the filtering mechanism to filter the user content-based items from a domain or many domains (see col.1, lines 47-63 and co.3, lines 51-54, Klein). Therefore, Klein teaches the claimed feature of the distribution information pieces from one or many different information providers.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (US Patent no. 5,872,850) in view of McCurdy et al. (US Pub. No. 2002/0035697).

Regarding claims 5 and 10, Klein discloses all of the claimed limitation as discussed above, except a clearing unit that withdraws a charge for utilizing the personal profile. McCurdy,

however, discloses the clearing transaction between the client and the distribution service system
(see [0174], McCurdy) that reads on the claimed feature "a clearing unit that withdraws a charge
for utilizing the personal profile." It would have been obvious to one of ordinary skill in the art at
the time of the invention to modify Klein to include the clearing unit that delete the charge or
transaction between the client and the distribution system as taught by McCurdy. The motivation
of doing so would have been to allow the user to receive desirable information on a certain node
or server of the distribution system (see col. 2, lines 24-37, Klein).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's
disclosure.

1. Marks et al. (US 6,463,447) disclose optimizing bandwidth consumption for document
distribution over a multicast enabled wide area network.

2. Hunt et al. (US 5,893,091) disclose a multicasting system with keywords.

3. Davies et al. (US 6,289,337) disclose a method and system for accessing information
using keyword clustering and meta-information.

4.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The
examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the
organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Thai
Art Unit 2171
April 20, 2004

UYEN LE
PRIMARY EXAMINER